



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/872,633

06/01/2001

Yoshitaka Nishimoto

892_018

1715

25191

7590

12/14/2006

BURR & BROWN

PO BOX 7068

SYRACUSE, NY 13261-7068

EXAMINER

WU, RUTAO

ART UNIT

PAPER NUMBER

3628

DATE MAILED: 12/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/872,633

Applicant(s)

NISHIMOTO, YOSHITAKA

Examiner

Rob Wu

Art Unit

3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 29-33 and 40-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 29-33 and 40-50 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on October 02, 2006 has been entered.

Response to Arguments

2. Applicant's arguments filed October 02, 2006 have been fully considered but they are not persuasive.

3. The applicant argues that Walker et al (6,415,264) does not suggest providing a user with price setting information to determine a price for a transaction target article. The Examiner respectfully disagrees. While ultimately Walker et al determines the payment for the user for posting an item for sell on the posting site. However, to arrive at the payment, Walker et al discloses that the posting service uses statistics from previous sold similar items to estimate a proper listing price. (col 7 lines 14-18) Only by suggesting the proper listing price of the item to the user, can Walker et al's invention determine a correct posting payment amount.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 29-32, 40-43, 45-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat No. 6,415,264 to Walker et al.

Referring to claim 45:

A system providing price setting support information to a requester for setting a price for a transaction target article comprising:

A transaction target database to store records each containing identifying information and quality information for transaction target articles; (Fig 2)

A transaction history database to store transaction achievement information records each containing completed transaction price for a transaction target article and necessary time related information relating to the time necessary to conduct said transaction for said transaction target article; (Fig 2) (col 7: lines 4-19)

A receiving unit that receives from said requester said identifying information of said transaction target article to be set for said transaction price, quality evaluating information for evaluating quality of said transaction target article and a desired transaction price; (col 3: lines 56-60; col 5: line 27, 32-36)

A reading unit that reads, from said transaction target database, any records containing quality information coincident with said identifying information and quality

Art Unit: 3628

evaluating information received by said receiving unit, and extracts, from said transaction history database, as a plurality of first extraction records, any transaction achievement records coincident with said identifying information and said quality information; (col 7: lines 4-19)

An extracting unit that extracts a plurality of second extraction records from said plurality of first extraction records, each second extraction record containing a completed transaction price that belongs to one of said price ranges inclusive of the desired transaction price; (col 7: lines 15-23)

Walker et al does not expressly disclose a statistic value calculating unit that divides a number of said plurality of second extraction records into a total number of necessary days to complete the transactions for said transaction target articles obtained based on the necessary time related information included in said plurality of second extraction records to calculate and average number of bid tender days;

However, Walker et al does disclose the ability to use trend analysis for sales of similar items to estimate the value of the item to be posted. (col 7: lines 15-19) Also, from Fig 4 as disclosed by Walker et al, it is clear that the total time of auction is recorded for each item that is posted on the posting site. Therefore, it would have been obvious for Walker et al to calculate a average number days per item sold as part of disclosed trend analysis.

A transmitting unit that transmits to said requester said quality information read by said reading unit and said average number of bid tender days calculated by said statistic value calculating unit; (col 5: lines 1, 22, Fig 6A) and

Walker et al does not expressly disclose creating a first collection table to collect said number of first extraction records, said total number of necessary days and said sum of complete transaction prices corresponding to each of said price ranges;

However, from Fig 4, it is clear that Walker et al stores the total time that an item was up for sale and final price of each item in the Item Database. Therefore, it would have been obvious and trivial for Walker et al to create a table disclosing the total number of necessary days and sum of complete transaction prices and sort said table by final sales price as deemed necessary by trend analysis.

Said statistic value calculating unit executing a process with respect to each of said plurality of first extraction records, said process comprising:

Determining said completed transaction price included in one of said plurality of first extraction records; (Fig 4)

Walker et al does not expressly disclose:

Incrementing by one said number of first extraction records on said first collection table corresponding to one of said price ranges inclusive of the completed transaction price included in one of said plurality of first extraction records;

Adding days necessary to complete said transaction for said transaction target article based on the necessary time related information included in one of said first extraction records to said total number of necessary days in said first collection table corresponding to one of said price ranges; and

Adding said completed transaction price included in one of said plurality of first extraction records to the sum of completed transaction prices in said first collection table corresponding to one of said price ranges,

After processing with respect to all of said plurality of first extraction records are completed, said statistic value calculating unit divides said total number of necessary days and said sum of completed transaction prices corresponding to one of said price ranges stored on said first collection table into said number of first extraction records corresponding to one of said price ranges to calculate an average number of bid tender days and an average transaction price corresponding to each of said price ranges,

However, Walker et al does disclose the ability to use trend analysis for sales of similar items or statistics such as sales during the past year to estimate the value of the item to be posted. (col 7: lines 15-19) Also, from Fig 4 as disclosed by Walker et al, it is clear that the total time of auction, final selling price of the product and the number of products sold are all recorded in the Item Database. Therefore, it would have been obvious for Walker et al to calculate an average number or bids per item sold and an average price of item sold as needed as part of disclosed trend analysis to determine the proper listing price for the item.

A transmitting unit transmitting to said requester said average number of bid tender days and said average transaction price corresponding to each of said price ranges. (col 5: lines 1, 22, Fig 6A)

Referring to claim 46:

A system providing price setting support information to a requester for setting a price for a transaction target article comprising:

A transaction target database to store records each containing identifying information and quality information for transaction target articles; (Fig 2)

A transaction history database to store transaction achievement information records each containing completed transaction price for a transaction target article and necessary time related information relating to the time necessary to conduct said transaction for said transaction target article; (Fig 2) (col 7: lines 4-19)

A receiving unit that receives from said requester said identifying information of said transaction target article to be set for said transaction price, quality evaluating information for evaluating quality of said transaction target article and a desired transaction price; (col 3: lines 56-60; col 5: line 27, 32-36)

A reading unit that reads, from said transaction target database, any records containing quality information coincident with said identifying information and quality evaluating information received by said receiving unit, and extracts, from said transaction history database, as a plurality of first extraction records, any transaction achievement records coincident with said identifying information and said quality information; (col 7: lines 4-19)

An extracting unit that extracts a plurality of second extraction records from said plurality of first extraction records, each second extraction record containing a completed transaction price that belongs to one of said price ranges inclusive of the desired transaction price; (col 7: lines 15-23)

Walker et al does not expressly disclose a statistic value calculating unit that divides a number of said plurality of second extraction records into a total number of necessary days to complete the transactions for said transaction target articles obtained based on the necessary time related information included in said plurality of second extraction records to calculate and average number of bid tender days;

However, Walker et al does disclose the ability to use trend analysis for sales of similar items to estimate the value of the item to be posted. (col 7: lines 15-19) Also, from Fig 4 as disclosed by Walker et al, it is clear that the total time of auction is recorded for each item that is posted on the posting site. Therefore, it would have been obvious for Walker et al to calculate a average number days per item sold as part of disclosed trend analysis.

A transmitting unit that transmits to said requester said quality information read by said reading unit and said average number of bid tender days calculated by said statistic value calculating unit; (col 5: lines 1, 22, Fig 6A) and

Walker et al does not expressly disclose creating a second collection table to collect said number of first extraction records, said total number of necessary days and said sum of complete transaction prices corresponding to each of a plurality of advertising periods for transaction information;

However, from Fig 4, it is clear that Walker et al stores the total time that an item was up for sale and final price of each item in the Item Database. Therefore, it would have been obvious and trivial for Walker et al to create a table disclosing the total

Art Unit: 3628

number of necessary days and sum of complete transaction prices and sort said table by total time items were up for bid as deemed necessary by trend analysis.

Said statistic value calculating unit executing a process with respect to each of said plurality of first extraction records, said process comprising:

Obtaining necessary days to complete the transaction for said transaction target article based on said necessary time related information included in one of said plurality of first extraction records; (Fig 4)

Walker et al does not expressly disclose:

Incrementing by one said number of first extraction records on said second collection table corresponding to one of said plurality of advertising periods inclusive of said necessary days obtained based on one of said plurality of first extraction records;

Adding said necessary days to said total number of necessary days in said second collection table corresponding to one of said plurality of advertising periods; and

Adding said completed transaction price included in one of said plurality of first extraction records to the sum of completed transaction prices in said second collection table corresponding to one of said plurality of advertising periods,

After processing with respect to all of said plurality of first extraction records are completed, said statistic value calculating unit divides said total number of necessary days and said sum of completed transaction prices corresponding to each of said plurality of advertising periods stored in said second collection table into said number of first collection records corresponding to one of said plurality of advertising periods to

calculate an average number of bid tender days and an average transaction price corresponding to each of said plurality of advertising periods,

However, Walker et al does disclose the ability to use trend analysis for sales of similar items or statistics such as sales during the past year to estimate the value of the item to be posted. (col 7: lines 15-19) Also, from Fig 4 as disclosed by Walker et al, it is clear that the total time of auction, final selling price of the product and the number of products sold are all recorded in the Item Database. Therefore, it would have been obvious for Walker et al to calculate an average number or bids per item sold and an average price of item sold as needed as part of disclosed trend analysis to determine the proper listing price for the item.

A transmitting unit transmitting to said requester said average number of bid tender days and said average transaction price corresponding to each of said plurality of advertising periods. (col 5: lines 1, 22, Fig 6A)

Referring to claim 47:

Walker et al does not expressly disclose creating a second collection table to collect said number of first extraction records, said total number of necessary days and said sum of complete transaction prices corresponding to each of a plurality of advertising periods for transaction information;

However, from Fig 4, it is clear that Walker et al stores the total time that an item was up for sale and final price of each item in the Item Database. Therefore, it would have been obvious and trivial for Walker et al to create a table disclosing the total

Art Unit: 3628

number of necessary days and sum of complete transaction prices and sort said table by total time items were up for bid as deemed necessary by trend analysis.

Said statistic value calculating unit executing a process with respect to each of said plurality of first extraction records, said process comprising:

Obtaining necessary days to complete the transaction for said transaction target article based on said necessary time related information included in one of said plurality of first extraction records; (Fig 4)

Walker et al does not expressly disclose:

Incrementing by one said number of first extraction records in said second collection table corresponding to one of said plurality of advertising periods inclusive of said necessary days obtained based on one of said plurality of first extraction records;

Adding said necessary days to said total number of necessary days on said second collection table corresponding to one of said plurality of advertising periods; and

Adding said completed transaction price included in one of said plurality of first extraction records to the sum of transaction prices in said second collection table corresponding to one of said plurality of advertising periods,

After processing with respect to all of said plurality of first extraction records are completed, said statistic value calculating unit divides said total number of necessary days and said sum of completed transaction prices corresponding to each of said plurality of advertising periods stored in said second collection table into said number of first collection records corresponding to one of said plurality of advertising periods to

calculate an average number of bid tender days and an average transaction price corresponding to each of said plurality of advertising periods,

However, Walker et al does disclose the ability to use trend analysis for sales of similar items or statistics such as sales during the past year to estimate the value of the item to be posted. (col 7: lines 15-19) Also, from Fig 4 as disclosed by Walker et al, it is clear that the total time of auction, final selling price of the product and the number of products sold are all recorded in the Item Database. Therefore, it would have been obvious for Walker et al to calculate an average number or bids per item sold and an average price of item sold as needed as part of disclosed trend analysis to determine the proper listing price for the item.

A transmitting unit transmitting to said requester said average number of bid tender days and said average transaction price corresponding to each of said plurality of advertising periods. (col 5: lines 1, 22, Fig 6A)

Referring to claim 48:

A method of providing price setting support information to a requester for setting a price for a transaction target article comprising:

receiving from said requester said identifying information of said transaction target article to be set for said transaction price, quality evaluating information for evaluating quality of said transaction target article and a desired transaction price; (col 3: lines 56-60; col 5: line 27, 32-36)

A reading unit that reads, from said transaction target database, which holds records each containing identifying information and quality information for a transaction

Art Unit: 3628

target article, any records containing quality information coincident with said identifying information and quality evaluating information which is received, and extracts, from said transaction history database, which holds transaction achievement information records each containing completed transaction price for said transaction target article and necessary time related information relating to the time necessary to conduct the transaction for said transaction target article, as a plurality of first extraction records, any transaction achievement records coincident with said identifying information and said quality information; (col 7: lines 4-19, 25-40)

extracting a plurality of second extraction records from said plurality of first extraction records, each second extraction record containing a completed transaction price that belongs to one of said price ranges inclusive of the desired transaction price; (col 7: lines 15-23)

Walker et al does not expressly disclose dividing said number of said plurality of second extraction records into said total number of necessary days to complete the transactions for said transaction target articles obtained based on the necessary time related information included in said plurality of second extraction records to calculate and average number of bid tender days;

However, Walker et al does disclose the ability to use trend analysis for sales of similar items to estimate the value of the item to be posted. (col 7: lines 15-19) Also, from Fig 4 as disclosed by Walker et al, it is clear that the total time of auction is recorded for each item that is posted on the posting site. Therefore, it would have been

Art Unit: 3628

obvious for Walker et al to calculate a average number days per item sold as part of disclosed trend analysis.

A transmitting unit that transmits to said requester said quality information read by said reading unit and said average number of bid tender days calculated by said statistic value calculating unit; (col 5: lines 1, 22, Fig 6A) and

Walker et al does not expressly disclose executing a process with respect to each of said plurality of first extraction records, the process using a first collection table to collect said number of first extraction records, said total number of necessary days and said sum of complete transaction prices corresponding to each of said price ranges;

However, from Fig 4, it is clear that Walker et al stores the total time that an item was up for sale and final price of each item in the Item Database. Therefore, it would have been obvious and trivial for Walker et al to create a table disclosing the total number of necessary days and sum of complete transaction prices and sort said table by final sales price as deemed necessary by trend analysis.

Determining the completed transaction price included in one of said plurality of first extraction records; (Fig 4)

Walker et al does not expressly disclose:

Incrementing by one said number of first extraction records on said first collection table corresponding to one of said price ranges inclusive of the completed transaction price included in one of said plurality of first extraction records;

Adding days necessary to complete said transaction for said transaction target article based on the necessary time related information included in one of said first

extraction records to said total number of necessary days in said first collection table corresponding to one of said price ranges; and

Adding said completed transaction price included in one of said plurality of first extraction records to the sum of completed transaction prices in said first collection table corresponding to one of said price ranges,

After processing with respect to all of said plurality of first extraction records are completed, said statistic value calculating unit divides said total number of necessary days and said sum of completed transaction prices corresponding to one of said price ranges stored on said first collection table into said number of first extraction records corresponding to one of said price ranges to calculate an average number of bid tender days and an average transaction price corresponding to each of said price ranges,

However, Walker et al does disclose the ability to use trend analysis for sales of similar items or statistics such as sales during the past year to estimate the value of the item to be posted. (col 7: lines 15-19) Also, from Fig 4 as disclosed by Walker et al, it is clear that the total time of auction, final selling price of the product and the number of products sold are all recorded in the Item Database. Therefore, it would have been obvious for Walker et al to calculate an average number or bids per item sold and an average price of item sold as needed as part of disclosed trend analysis to determine the proper listing price for the item.

A transmitting unit transmitting to said requester said average number of bid tender days and said average transaction price corresponding to each of said price ranges. (col 5: lines 1, 22, Fig 6A)

Referring to claim 49:

A method of providing price setting support information to a register for setting a price for a transaction target article comprising:

receiving from said requester identifying information of said transaction target article to be set for said transaction price, quality evaluating information for evaluating quality of said transaction target article and a desired transaction price; (col 3: lines 56-60; col 5: line 27, 32-36)

A reading unit that reads, from said transaction target database, which holds records each containing identifying information and quality information for a transaction target article, any records containing quality information coincident with said identifying information and quality evaluating information which is received, and extracts, from said transaction history database, which holds transaction achievement information records each containing completed transaction price for said transaction target article and necessary time related information relating to the time necessary to conduct the transaction for said transaction target article, as a plurality of first extraction records, any transaction achievement records coincident with said identifying information and said quality information; (col 7: lines 4-19, 25-40)

extracting a plurality of second extraction records from said plurality of first extraction records, each second extraction record containing a completed transaction price that belongs to one of said price ranges inclusive of the desired transaction price; (col 7: lines 15-23)

Walker et al does not expressly disclose dividing said number of said plurality of second extraction records into said total number of necessary days to complete the transactions for said transaction target articles obtained based on the necessary time related information included in said plurality of second extraction records to calculate and average number of bid tender days;

However, Walker et al does disclose the ability to use trend analysis for sales of similar items to estimate the value of the item to be posted. (col 7: lines 15-19) Also, from Fig 4 as disclosed by Walker et al, it is clear that the total time of auction is recorded for each item that is posted on the posting site. Therefore, it would have been obvious for Walker et al to calculate a average number days per item sold as part of disclosed trend analysis.

A transmitting unit that transmits to said requester said quality information read by said reading unit and said average number of bid tender days calculated by said statistic value calculating unit; (col 5: lines 1, 22, Fig 6A)

Walker et al does not expressly disclose executing processing with respect to each of said plurality of first extraction records, said process using a second collection table to collect said number of first extraction records, said total number of necessary days and said sum of complete transaction prices corresponding to each of said plurality of advertising periods for transaction information;

However, from Fig 4, it is clear that Walker et al stores the total time that an item was up for sale and final price of each item in the Item Database. Therefore, it would have been obvious and trivial for Walker et al to create a table disclosing the total

Art Unit: 3628

number of necessary days and sum of complete transaction prices and sort said table by total time items were up for bid as deemed necessary by trend analysis.

Obtaining necessary days to complete the transaction for said transaction target article based on said necessary time related information included in one of said plurality of first extraction records; (Fig 4)

Walker et al does not expressly disclose:

Incrementing by one said number of first extraction records on said second collection table corresponding to one of said plurality of advertising periods inclusive of said necessary days obtained based on one of said plurality of first extraction records;

Adding said necessary days to said total number of necessary days in said second collection table corresponding to one of said plurality of advertising periods; and

Adding said completed transaction price included in one of said plurality of first extraction records to the sum of completed transaction prices in said second collection table corresponding to one of said plurality of advertising periods,

After processing with respect to all of said plurality of first extraction records are completed, said statistic value calculating unit divides said total number of necessary days and said sum of completed transaction prices corresponding to each of said plurality of advertising periods stored in said second collection table into said number of first collection records corresponding to one of said plurality of advertising periods to calculate an average number of bid tender days and an average transaction price corresponding to each of said plurality of advertising periods,

However, Walker et al does disclose the ability to use trend analysis for sales of similar items or statistics such as sales during the past year to estimate the value of the item to be posted. (col 7: lines 15-19) Also, from Fig 4 as disclosed by Walker et al, it is clear that the total time of auction, final selling price of the product and the number of products sold are all recorded in the Item Database. Therefore, it would have been obvious for Walker et al to calculate an average number or bids per item sold and an average price of item sold as needed as part of disclosed trend analysis to determine the proper listing price for the item.

A transmitting unit transmitting to said requester said average number of bid tender days and said average transaction price corresponding to each of said plurality of advertising periods. (col 5: lines 1, 22, Fig 6A)

Referring to claim 50:

A method according to claim 48

Walker et al does not expressly disclose executing a process with respect to each of said plurality of first extraction records, said process using said second collection table to collect said number of first extraction records, said total number of necessary days and said sum of complete transaction prices corresponding to each of said plurality of advertising periods for transaction information;

However, from Fig 4, it is clear that Walker et al stores the total time that an item was up for sale and final price of each item in the Item Database. Therefore, it would have been obvious and trivial for Walker et al to create a table disclosing the total

number of necessary days and sum of complete transaction prices and sort said table by total time the items were up for bid as deemed necessary by trend analysis.

Obtaining necessary days to complete the transaction for said transaction target article based on said necessary time related information included in one of said plurality of first extraction records; (Fig 4)

Walker et al does not expressly disclose:

Incrementing by one said number of first extraction records on said second collection table corresponding to one of said plurality of advertising periods inclusive of said necessary days obtained based on one of said plurality of first extraction records;

Adding said necessary days to said total number of necessary days in said second collection table corresponding to one of said plurality of advertising periods; and

Adding said completed transaction price included in one of said plurality of first extraction records to the sum of completed transaction prices in said second collection table corresponding to one of said plurality of advertising periods,

After processing with respect to all of said plurality of first extraction records are completed, said statistic value calculating unit divides said total number of necessary days and said sum of completed transaction prices corresponding to each of said plurality of advertising periods stored in said second collection table into said number of first collection records corresponding to one of said plurality of advertising periods to calculate an average number of bid tender days and an average transaction price corresponding to each of said plurality of advertising periods,

However, Walker et al does disclose the ability to use trend analysis for sales of similar items or statistics such as sales during the past year to estimate the value of the item to be posted. (col 7: lines 15-19) Also, from Fig 4 as disclosed by Walker et al, it is clear that the total time of auction, final selling price of the product and the number of products sold are all recorded in the Item Database. Therefore, it would have been obvious for Walker et al to calculate an average number or bids per item sold and an average price of item sold as needed as part of disclosed trend analysis to determine the proper listing price for the item.

A transmitting unit transmitting to said requester said average number of bid tender days and said average transaction price corresponding to each of said plurality of advertising periods. (col 5: lines 1, 22, Fig 6A)

Referring to claims 29 and 40:

Walker et al does not expressly disclose said quality information is said using period divided into a plurality of time periods corresponding to each of a plurality of advertising periods.

However, from Fig 4, it is clear that Walker et al stores the total time that an item was up for sale and the grade of each item in the Item Database. Therefore, it would have been obvious and trivial for Walker et al to create a table disclosing the grades of each item and sort said table by total time the items were up for bid as deemed necessary by trend analysis.

Referring to claims 30 and 41:

Walker et al does not expressly disclose wherein said statistic value calculating unit executes no process if said using period exceeds a predetermined limit.

The examiner note that it is obvious to one skilled in the arts that if a component is too old or has exceeded its usable life span then no one would purchase the component. Therefore it would be unnecessary to calculate and statistic value for the component.

Referring to claims 31 and 42:

A system providing price setting support information to a requestor for setting a price for a transaction target article according to claim 45, wherein said quality evaluating information is an answer to a question about an assessment item for said transaction target article; (col 6: lines 23-27) and

Said quality information is an assessment rank corresponding to an assessment score incremented or decremented based on said answer to said question. (col 6: lines 23-27)

Referring to claims 32 and 43:

Walker does not disclose explicitly that an item post to be sold is a component of a vehicle.

Examiner submits however, that it would have been obvious to one having ordinary skill in the art at the time the invention was made to include components of a vehicle or any other good or service. Walker provides specific motivation by indicating that any types of good or service may be sold (col 3: lines 45-54).

6. Claims 33 and 44 are rejected as being unpatentable over Walker et al in view of U.S. Pat No. 5,657,233 to Cherrington et al.

Walker does not disclose a maintenance information storage unit stored with maintenance information of a vehicle. Walker also does not disclose using the vehicle maintenance information to obtain the using period.

Cherrington discloses a specifications database which contains vehicle specifications and a customer/inspection database which contains prior inspection records.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Walker's invention to include a vehicle maintenance information database and the ability to use the information to calculate the using time of a vehicle's component. One would be motivated to perform such a modification to have an alternate solution to providing the quality condition of an item for sale.

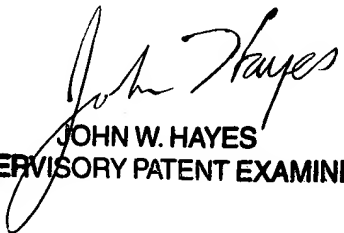
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rob Wu whose telephone number is (571)272-3136. The examiner can normally be reached on Mon-Fri 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on (571)272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3628

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

rw


JOHN W. HAYES
SUPERVISORY PATENT EXAMINER